

REMARKS

Claims 1-45 are pending in the Application. The specification and claims are objected to. Claims 3-5, 15-25, 29, 31-36 and 39 are rejected under 35 U.S.C. §112, second paragraph. Claims 1-2, 5-14, 16-30 and 32-45 are rejected under 35 U.S.C. §102(e). Claims 3-4, 15 and 31 are rejected under 35 U.S.C. §103(a). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request that the Examiner reconsider and withdraw these rejections.

Applicants note that claims 3-5, 15-29 and 31-45 have been amended to correct typographical mistakes and not to overcome prior art. Hence, no prosecution history estoppel arises from the amendments to claims 3-5, 15-29 and 31-45. *Festo Corp v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-1712 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2000). Further, the amendments made to claims 3-5, 15-29 and 31-45 were not made for a substantial reason related to patentability and therefore no prosecution history estoppel arises from such amendments. See *Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

I. OBJECTIONS TO THE SPECIFICATION:

The Examiner has objected to the specification for using the incorrect acronym for "dialing action controller." Paper No. 4, page 2. Applicants have amended the Specification, as indicated above, to use the correct acronym ("DTC") for the phrase "dialing action controller." Applicants respectfully request the Examiner to withdraw the objections to the Specification.

II. OBJECTIONS TO THE CLAIMS:

The Examiner has objected to claims 15-18 because each claim was not concluded by a period. Paper No. 4, page 2. Applicants have amended claims 15-18, as indicated above, to conclude claims 15-18 by a period. Applicants respectfully request the Examiner to withdraw the objections to the claims.

III. REJECTIONS UNDER 35 U.S.C. §112:

Claims 3-5, 15-25, 29, 31-36 and 39 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Paper No. 4, page 3. In particular the Examiner asserts that the limitation of "said security protocol", as recited in claim 3 and 4, lacks antecedent basis. Paper No. 4, page 3. The Examiner further asserts that the limitation of "said PIM" in claim 5 lacks antecedent basis. Paper No. 4, page 3. The Examiner further asserts that the limitation of "said authorization unit" as recited in claim 15 lacks antecedent basis. Paper No. 4, page 3. The Examiner further asserts that the phrase of "said Modem" in claims 16-20 lacks antecedent basis. Paper No. 4, page 4. The Examiner further asserts that the phrase of "said DAC" in claims 21-22, 25 and 29 lacks antecedent basis. Paper No. 4, page 4. The Examiner further asserts that the phrase of "said user signal" and "said connectivity cost" in claim 23 lacks antecedent basis. Paper No. 4, page 4. The Examiner further asserts that the phrase of "said security protocol" in claim 24 lacks antecedent basis. Paper No. 4, page 4. The Examiner further asserts that the phrase of "said PIM" in claim 31 lacks antecedent basis. Paper No. 4, page 4. The Examiner further asserts that the phrase of "said Modem" in claims 32-36 lacks antecedent basis. Paper No. 4, page 4. The Examiner further asserts that the phrase of "said connectivity cost" in claim 39 lacks antecedent basis. Paper No. 4, page 5. Applicants have amended these recited claims, as indicated above, to correct the lack of antecedent basis in these claims. Applicants respectfully assert that amended claims 3-5, 15-25, 29, 31-36 and 39 particularly point out and distinctly claim the subject matter which Applicants regard as the invention and therefore are allowable under 35 U.S.C. §112, second paragraph.

IV. REJECTIONS UNDER 35 U.S.C. §102(e):

The Examiner has rejected claims 1-2, 5-14, 16-30 and 32-45 under 35 U.S.C. §102(e) as being anticipated by Voit et al. (U.S. Patent No. 6,430,275) (hereinafter "Voit"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

For a claim to be anticipated under 35 U.S.C. §102, each and every claim limitation must be found within the cited prior art reference and arranged as required by the claim. M.P.E.P. §2131.

Applicants respectfully assert that Voit does not disclose "alerting a user of said Internet appliance when an attempt is made to select said communication link via a dialing action of said Internet appliance using said communication access number" as recited in claim 1. The Examiner cites column 9, lines 56-78; column 13, lines 21-64; and column 18, lines 8-12 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 6. Applicants respectfully traverse.

Voit instead discloses that a C3 object represents a network element required to perform customer authentication, call authorization, usage accounting and usage pricing for a particular PC user's customer account. Column 8, lines 59-62. Voit further discloses that the C3 object evaluates the customer account status to determine if there are multiple connections currently in service. Column 9, lines 56-58. Voit further discloses that the C2 object is able to signal various states of a connection (ringing, busy, etc.) to a PC user. Column 13, lines 21-22. Voit further discloses that the C3 object ensures coordination between user authorization and usage recording for a single PC user's customer account. Column 13, lines 34-37. Voit further discloses that if the authorization was successful, the C2 object will establish the PSTN connection and notify the client software that the call is proceeding. Column 18, lines 9-11. Thus, Voit discloses that the C2 object establishes the PSTN connection and notifies the client software that the call is proceeding. This is not the same as alerting a user of an Internet appliance when an attempt is made to select a communication link. Neither does the C2 object alert a user of an Internet appliance when an attempt is made to select a communication link via a dialing action of the Internet appliance. Instead, Voit discloses notifying the client software after authorization has been successful and the call has been placed. Furthermore, Voit discloses a C3 object that represents a network element required to perform customer authentication, call authorization, usage accounting and usage pricing for a particular PC user's customer account. The C3 object does not represent a network element that alerts a user of an Internet appliance when an attempt is made to select a

communication link via a dialing action of the Internet appliance. Thus, Voit does not disclose all of the limitations of claim 1, and thus Voit does not anticipate claim 1. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "one or more personal identification means (PIM) input units coupled to a system bus in said ICA, said PIM input units operable to generate unique PIM signals" as recited in claim 14. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 6. Applicants respectfully traverse and assert that Voit instead discloses that the authorization request is relayed over C3.14 which typically consists of an account number and password provided by the PC User to be authenticated by C3. There is no language in the cited passages that discloses a personal identification means input unit in an Internet appliance. Neither is there any language in the cited passages that discloses a personal identification means input unit coupled to a system bus in an Internet appliance. Instead, the cited passages discloses relaying an authorization request at the network system block or the network provider domain. Thus, Voit does not disclose all of the limitations of claim 14, and thus Voit does not anticipate claim 14. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a security protocol circuit operable to encrypt, decrypt, store and retrieve said PIM signals and device driver code" as recited in claim 14 and similarly in claim 20. The Examiner cites column 9, lines 38-65 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 6. Applicants respectfully traverse and assert that Voit instead discloses that the authorization request relayed over the C3.14 interface is preferably encrypted and secure. However, there is no language in the cited passage that discloses a circuit operable to encrypt. Neither is there any language in the cited passage that discloses a circuit operable to decrypt. Neither is there any language in the cited passage that discloses a circuit operable to store a signal generating from a personal identification means input unit in an Internet appliance. Neither is there any language in the cited passage that discloses a circuit operable to retrieve a signal generating from a personal identification means input unit in an Internet appliance. Neither is there any

language in the cited passage that discloses a circuit operable to store a device driver code. Neither is there any language in the cited passage that discloses a circuit operable to retrieve a device driver code. Thus, Voit does not disclose all of the limitations of claims 14 and 20, and thus Voit does not anticipate claims 14 and 20. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a dialing action controller (DAC) coupled to said system bus and said Modems, said DAC operable receive a dialing action request and to alert a user of said dialing action and to enable or disable said dialing action to said Modems in response to said verification signal and a user signal" as recited in claim 14 and similarly in claim 20. The Examiner cites column 9, lines 56-67; column 13, lines 21-64 and column 18, lines 8-12 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 7. Applicants respectfully traverse and assert that Voit instead discloses that a C3 object represents a network element required to perform customer authentication, call authorization, usage accounting and usage pricing for a particular PC user's customer account. Column 8, lines 59-62. Voit further discloses that the C3 object evaluates the customer account status to determine if there are multiple connections currently in service. Column 9, lines 56-58. Voit further discloses that the C2 object is able to signal various states of a connection (ringing, busy, etc.) to a PC user. Column 13, lines 21-22. Voit further discloses that the C3 object ensures coordination between user authorization and usage recording for a single PC user's customer account. Column 13, lines 34-37. Voit further discloses that if the authorization was successful, the C2 object will establish the PSTN connection and notify the client software that the call is proceeding. Column 18, lines 9-11. Thus, Voit discloses that the C2 object establishes the PSTN connection and notifies the client software that the call is proceeding. Voit further discloses a C3 object that represents a network element required to perform customer authentication, call authorization, usage accounting and usage pricing for a particular PC user's customer account. There is no language in the cited passages that discloses a dialing action controller (DAC) coupled to a system bus and to modems. The Examiner had previously cited Figure 9 of Voit as disclosing modems. Paper No. 4, page 6. Upon review of Figure 9 of

Voit, Applicants were unable to identify a DAC coupled to a system bus and to the modems. Neither is there any language in the cited passages that discloses a DAC operable to receive a dialing action request. Neither is there any language in the cited passages that discloses a DAC operable to alert a user of a dialing action. Neither is there any language in the cited passages that discloses a DAC operable to enable a dialing action to the modems. Neither is there any language in the cited passages that discloses a DAC operable to disable a dialing action to the modems. Neither is there any language in the cited passages that discloses a DAC operable to enable or disable a dialing action to the modems in response to a verification signal and a user signal. Thus, Voit does not disclose all of the limitations of claims 14 and 20, and thus Voit does not anticipate claims 14 and 20. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a security processor unit, said security processor unit further comprising: one or more personal identification means (PIM) input units coupled to a system bus in said ICA, said PIM input units operable to generate unique PIM signals" as recited in claim 20. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 7. Applicants respectfully traverse and assert that Voit instead discloses that the authorization request is relayed over C3.14 which typically consists of an account number and password provided by the PC User to be authenticated by C3. There is no language in the cited passages that discloses a personal identification means input unit in an Internet appliance. Neither is there any language in the cited passages that discloses a personal identification means input unit coupled to a system bus in an Internet appliance. Instead, the cited passages discloses relaying an authorization request at the network system block or the network provider domain. Thus, Voit does not disclose all of the limitations of claim 20, and thus Voit does not anticipate claim 20. M.P.E.P. §2131.

Claims 2-13, 15-29 and 31-45 each recite combinations of features including the above combinations, and thus are not anticipated for at least the above-stated reasons. Claims 2-13, 15-29 and 31-45 recite additional features, which, in

combination with the features of the claims upon which they depend, are not anticipated by Voit.

For example, Voit does not disclose "prompting said user to enter a user personal identification means (PIM) in response to selecting said communication access number" as recited in claim 2. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 8. Applicants respectfully traverse and assert that Voit instead discloses that the authorization request is relayed over C3.14 which typically consists of an account number and password provided by the PC User to be authenticated by C3. There is no language in the cited passages that discloses prompting a user to enter a user identification means. Neither is there any language in the cited passages that discloses prompting a user to enter a user identification means in response to selecting a communication access number. Thus, Voit does not disclose all of the limitations of claim 2, and thus Voit does not anticipate claim 2. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "initiating a pre-determined security protocol to retrieve a corresponding secure PIM for comparison" as recited in claim 2. The Examiner cites column 9, lines 38-55 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 9. Applicants respectfully traverse and assert that Voit instead discloses that the C3 object is invoked during a call when an authorization request is relayed over the interface C3.14. There is no language in the cited passage that discloses initiating a pre-determined security protocol. Neither is there any language in the cited passage that discloses initiating a pre-determined security protocol to retrieve a corresponding secure personal identification means for comparison. Thus, Voit does not disclose all of the limitations of claim 2, and thus Voit does not anticipate claim 2. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "retrieving secure device driver code for executing said dialing action using said security protocol in response to said authorization" as recited in claim 2. The Examiner has not cited any passage in Voit as disclosing the above-cited claim limitation. Applicants respectfully remind

the Examiner that the Examiner bears the initial burden and must submit objective evidence and not rely on his own subjective opinion in support of a *prima facie* case of anticipation. See *In re Oetiker*, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992). The Examiner must present a single prior art reference that expressly or inherently discloses each and every element as set forth in the claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. §2131. Upon review of Voit, Applicants respectfully assert that Voit does not disclose the above-cited claim limitation. Thus, Voit does not disclose all of the limitations of claim 2, and thus Voit does not anticipate claim 2. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "executing said dialing action using said device driver code for said communication link in response to said authorization and a user response to said connectivity cost alert" as recited in claim 2. The Examiner cites column 18, lines 9-33 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 9. Applicants respectfully traverse and assert that Voit instead discloses that if authorization was successful, the C2 object will establish the PSTN connection and notify the client software that the call is proceeding. Voit further discloses that the C2 object may also pass on to the calling PC the pricing information obtained from the C3 object. Voit further discloses that the C2 object will continue to update the client software with call establishment information as the call is proceeding and may also pass along to the caller a running account of the cost of the call. Voit further discloses that after the call has been established, the PC will respond to the network that it recognizes that a connection has been established, timing of the call's duration can be initiated, and any usage measurements will indicate that the call is billable. There is no language in the cited passage that discloses executing a dialing action using a device driver code for a communication link. Neither is there any language in the cited passage that discloses executing a dialing action using a device driver code for a communication link in response to authorization and a user response to the connectivity cost alert. Instead, Voit discloses that the PC responds after the call has been established. That is, Voit discloses establishing a call without a response from the user of the PC with respect to the pricing information passed along to the caller. Thus, Voit does not disclose all

of the limitations of claim 2, and thus Voit does not anticipate claim 2. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein said PIM is used to grant or block access to certain area or country telephony codes" as recited in claim 5. The Examiner cites column 17, line 66 – column 18, line 8 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 9. Applicants respectfully traverse and assert that Voit instead discloses that the C2 object invokes the C3 object in order to receive authorization to proceed with the call. There is no language in the cited passage that discloses that a personal identification means is used to grant or block access to a certain area code. Neither is there any language in the cited passage that discloses that a personal identification means is used to grant or block access to a certain country telephony code. Thus, Voit does not disclose all of the limitations of claim 5, and thus Voit does not anticipate claim 5. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "matching said communication access number with an actual system entered communication access number" as recited in claim 6. The Examiner cites column 7, lines 39-58; column 12, line 64 – column 13, line 20 and column 19, lines 22-27 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 10. Applicants respectfully traverse and assert that Voit instead discloses that an Internet telephony gateway communicate with a PC user to establish a PC to a telephone call. There is no language in the cited passages that discloses matching a communication access number with a system entered communication access number. Instead, Voit discloses establishing a telephone call but does not match the phone number of the telephone call with a system entered communication access number. Thus, Voit does not disclose all of the limitations of claim 6, and thus Voit does not anticipate claim 6. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "monitoring an incoming call for a caller ID" as recited in claim 7. The Examiner cites Figure 7 and column 17, lines 22-31 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 10. Applicants respectfully traverse and assert that Voit instead discloses a high level call flow of signaling messages. There is no language in the cited passage that

discloses monitoring an incoming call for a caller ID. Applicants have performed a search of the term "caller ID" in Voit and were unable to identify the term "caller ID" or any variation thereof. Thus, Voit does not disclose all of the limitations of claim 7, and thus Voit does not anticipate claim 7. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "answering and routing said incoming call to a receiving device on the basis of said incoming telephone number" as recited in claim 7. The Examiner cites Figure 7 and column 17, lines 22-31 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 10. Applicants respectfully traverse and assert that Voit instead discloses a high level call flow of signaling messages. There is no language in the cited passage that discloses answering an incoming call and routing the incoming call to a receiving device. Neither is there any language in the cited passage that discloses answering an incoming call and routing the incoming call to a receiving device on the basis of the incoming telephone number. Thus, Voit does not disclose all of the limitations of claim 7, and thus Voit does not anticipate claim 7. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up" as recited in claim 8 and similarly in claims 25 and 41. The Examiner cites column 17, lines 55-61 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 10. Applicants respectfully traverse and assert that Voit instead discloses a user initiating a call via the PC's V/IP software. There is no language in the cited passage that discloses using a built-in key escrow function. Neither is there any language in the cited passage that discloses using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address. Neither is there any language in the cited passage that discloses using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission. Neither

is there any language in the cited passage that discloses using a built-in key escrow function to notify a trusted server of a current dynamic host configuration protocol (DHCP) assigned IP address along with a key indicating authenticity of transmission so that voice over IP services between devices and a web page server lookup may be performed in a DHCP environment without side-channel communication for call or web reference look-up. Thus, Voit does not disclose all of the limitations of claims 8, 25 and 41, and thus Voit does not anticipate claims 8, 25 and 41. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein activating said selected communication access number comprises selecting said communication access number from a displayed Internet web page hot spot" as recited in claim 9. The Examiner cites column 17, lines 41-44 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 11. Applicants respectfully traverse and assert that Voit instead discloses that the customer will launch their V/IP application, either as a plug-in to an existing browser or as a stand-alone application. There is no language in the cited passage that discloses selecting a communication access number from a displayed Internet web page hot spot. Thus, Voit does not disclose all of the limitations of claim 9, and thus Voit does not anticipate claim 9. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein said communication access number is selected using an actual or virtual keypad of said Internet appliance" as recited in claim 10. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 11. Applicants respectfully traverse and assert that Voit instead discloses that the authorization request relayed over C3.14 typically consists of an account number and password provided by the PC User to be authenticated by the C3 object. There is no language in the cited passages that discloses selecting a communication access number using an actual or virtual keypad. Neither is there any language in the cited passages that discloses selecting a communication access number using an actual or virtual keypad of an Internet appliance. Thus, Voit does not disclose all of the limitations of claim 10, and thus Voit does not anticipate claim 10. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein said communication link comprises a concurrent communication link for an Internet and a telephone connection" as recited in claim 13. The Examiner cites column 8, lines 24-32 and Figure 3 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 12. Applicants respectfully traverse. Applicants respectfully direct the Examiner's attention to Figure 1B of Voit which illustrates separate connections to circuit switched network 108 and IP routed network 106 instead of a concurrent communication link. Thus, Voit does not disclose all of the limitations of claim 13, and thus Voit does not anticipate claim 13. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a digital subscriber line (DSL) Modem" as recited in claim 16 and similarly in claim 32. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 12. Applicants respectfully traverse and assert that Voit simply discloses a modem. However, there is no language that discloses a digital subscriber line modem. Thus, Voit does not disclose all of the limitations of claims 16 and 32, and thus Voit does not anticipate claims 16 and 32. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a wireless cellular modem" as recited in claim 17 and similarly in claim 33. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 12. Applicants respectfully traverse and assert that Voit simply discloses a modem. However, there is no language that discloses a wireless cellular modem. Thus, Voit does not disclose all of the limitations of claims 17 and 33, and thus Voit does not anticipate claims 17 and 33. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a wireless personal communication system (PCS) modem" as recited in claim 18 and similarly in claim 34. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 12. Applicants respectfully traverse and assert that Voit simply discloses a modem. However, there is no language that discloses a wireless personal communication system modem. Thus,

Voit does not disclose all of the limitations of claims 18 and 34, and thus Voit does not anticipate claims 18 and 34. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a cable modem" as recited in claim 19 and similarly in claim 35. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 13. Applicants respectfully traverse and assert that Voit simply discloses a modem. However, there is no language that discloses a cable modem. Thus, Voit does not disclose all of the limitations of claims 19 and 35, and thus Voit does not anticipate claims 19 and 35. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "a public subscriber telephone network (PSTN) modem" as recited in claim 20 and similarly in claim 36. The Examiner cites element 344 of Figure 4 and Figure 9 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 13. Applicants respectfully traverse and assert that Voit simply discloses a modem. However, there is no language that discloses a public subscriber telephone network modem. Thus, Voit does not disclose all of the limitations of claims 20 and 36, and thus Voit does not anticipate claims 20 and 36. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein said DAC alerts said user of a dialing action by display on a user display screen coupled to said IA" as recited in claim 21 and similarly in claim 37. The Examiner cites column 9, lines 56-67; column 13, lines 21-64 and column 18, lines 8-12 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 13. Applicants respectfully traverse and assert that Voit instead discloses that the C3 object evaluates the customer account status to determine if there are multiple connections currently in service. There is no language in the cited passages that discloses alerting a user of a dialing action by display on a user display screen. Neither is there any language that discloses alerting a user of a dialing action by display on a user display screen coupled to an Internet appliance. Thus, Voit does not disclose all of the limitations of claims 21 and 37, and thus Voit does not anticipate claims 21 and 37. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein said user is given an option of communicating on an established communication link in response to an authorized and enabled dialing action using said security protocol" as recited in claim 24 and similarly in claim 40. The Examiner cites column 18, lines 9-33 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 14. Applicants respectfully traverse and assert that Voit instead discloses that after a call has been established, the PC will respond to the network that it recognizes that a connection has been established. The user of PC is not, however, provided an option of communicating on an established communication link in response to an authorized and enabled dialing action. Neither is the user of the PC provided an option of communicating on an established communication link in response to an authorized and enabled dialing action using a security protocol. Thus, Voit does not disclose all of the limitations of claims 24 and 40, and thus Voit does not anticipate claims 24 and 40. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "entering a communication access number via a keyboard keypad, a virtual display keypad, or by clicking a "hot spot" on a Web page" as recited in claim 26 and similarly in claim 42. The Examiner cites column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 15. Applicants respectfully traverse and assert that Voit instead discloses relaying an authorization request over C3.14 which typically consists of an account number and a password provided by the PC user to be authenticated by the C3 object. There is no language in the cited passages that discloses entering a communication access number via a keyboard keypad. Neither is there any language in the cited passages that discloses entering a communication access number via a virtual display keypad. Neither is there any language in the cited passages that discloses entering a communication access number by clicking a "hot spot" on a Web page. Thus, Voit does not disclose all of the limitations of claims 26 and 42, and thus Voit does not anticipate claims 26 and 42. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein said user is alerted of said dialing action whether said dialing action was initiated locally or

remote by another user" as recited in claim 28 and similarly in claim 44. The Examiner cites column 9, lines 56-67; column 13, lines 21-64 and column 18, lines 8-12 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 15. Applicants respectfully traverse and assert that Voit instead discloses that the C3 object evaluates the customer account status to determine if there are multiple connections currently in service. Voit further discloses that the C3 object ensures coordination between the user authorization and usage recording for a single PC user's customer account. Voit further discloses that the C2 object will establish the PSTN connection if authorization was successful and notify the client software that the call is proceeding. However, the user is not alerted of a dialing action initiated locally or remotely by another user. Instead, the user is notified of establishing a connection after authorization was successful. Thus, Voit does not disclose all of the limitations of claims 28 and 44, and thus Voit does not anticipate claims 28 and 44. M.P.E.P. §2131.

Applicants further assert that Voit does not disclose "wherein DAC monitors incoming communication access numbers and directs communication to a answering or recording device or forwards the communication to another communication link in response to comparing said incoming communication access numbers to a predetermined, stored communication access numbers list" as recited in claim 29 and similarly in claim 45. The Examiner cites column 7, lines 39-58; column 12, line 64 – column 13, line 20 and column 19, lines 22-27 of Voit as disclosing the above-cited claim limitation. Paper No. 4, page 16. Applicants respectfully traverse and assert that Voit instead discloses an Internet telephony gateway that communicates with a PC user to establish a PC to telephone call. There is no language in the cited passages that discloses monitoring incoming communication access numbers and directing communication to an answering or recording device. Neither is there any language in the cited passages that discloses monitoring incoming communication access numbers and forwarding the communication to another communication link in response to comparing the incoming communication access numbers to a predetermined, stored communication access numbers list. Thus, Voit does not disclose all of the

limitations of claims 29 and 45, and thus Voit does not anticipate claims 29 and 45. M.P.E.P. §2131.

As a result of the foregoing, Applicants respectfully assert that not each and every claim limitation was found within the cited prior art reference, and thus claims 1-2, 5-14, 16-30 and 32-45 are not anticipated by Voit.

V. REJECTIONS UNDER 35 U.S.C. §103(a):

A. Rejections of claims 3-4 as being unpatentable over Voit in view of Rao.

The Examiner has rejected claims 3-4 under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Rao et al. (U.S. Patent No. 6,757,823) (hereinafter "Rao"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

Applicants respectfully assert that Voit and Rao, taken singly or in combination, do not teach or suggest "using said security protocol for encrypting and decrypting information transmitted on said communication link in response to authorizing said dialing action for said communication link" as recited in claim 3. The Examiner cites column 4, lines 18-35 of Rao as teaching a secure registration process used that exchanges information between calling endpoints. However, the Examiner has not cited to any passage in either Voit or Rao that teaches encrypting and decrypting information transmitted on a communication link in response to authorizing the dialing action for the communication link. In order to establish a *prima facie* case of obviousness, the Examiner must provide a prior art reference (or references when combined) that teaches or suggests all of the claim limitations. M.P.E.P. §2142. Since the Examiner has not provided such evidence, the Examiner has not established a *prima facie* case of obviousness in rejecting claim 3. M.P.E.P. §2143.

Applicants further note that claims 3 and 4 depend from claim 1. Since claim 1 is allowable for at least the reasons stated above, claims 3 and 4 are allowable as well.

As a result of the foregoing, Applicants respectfully assert that the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 3-4 as being unpatentable over Voit in view of Rao. M.P.E.P. §2143.

B. Rejections of claims 15 and 31 as being unpatentable over Voit in view of Gullman.

The Examiner has further rejected claims 15 and 31 under 35 U.S.C. §103(a) as being unpatentable over Voit in view of Gullman et al. (U.S. Patent No. 5,280,527) (hereinafter "Gullman"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

1. Voit and Gullman, taken singly or in combination, do not teach or suggest the following claim limitations.

Applicants respectfully assert that Voit and Gullman, taken singly or in combination, do not teach or suggest "wherein said authorization unit comprises: a smart card reader; a biometric input unit; a personal identification number input unit; and a voice recognition input unit" as recited in claim 15 and similarly in claim 31. The Examiner asserts that column 9, lines 44-55; column 13, lines 14-51; column 17, lines 62-65 and column 19, lines 20-26 of Voit teaches a personal identification number input unit. Paper No. 4, page 22. The Examiner further asserts that Gullman teaches a smart card reader, a biometric input unit and a voice recognition unit though does not cite to any particular passage in Gullman. Paper No. 4, page 22. Applicants respectfully traverse that Voit and Gullman, taken together, teach a smart card reader. Applicants performed a search of the phrase "smart card reader" in Voit and Gullman and were unable to identify the phrase "smart card reader" or any variation thereof. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 15 and 31, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

2. The Examiner has not presented a source of motivation for combining Voit with Gullman.

The Examiner states that the motivation to modify Voit with Gullman to incorporate the limitations of claims 15 and 31 is to increase individual security by precluding a hacker who gained access to the account number and password to feign that he is the actual user and place unauthorized calls. Paper No. 4, pages 23-24. The motivation to modify Voit with Gullman must come from one of three possible sources: the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998). The Examiner has not provided any evidence that his motivation comes from any of these sources. Instead, the Examiner is relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 15 and 31. *Id.*

3. Claims 15 and 31 depend from claims 14 and 30, which are allowable.

Applicants further note that claims 15 and 31 depend from claims 14 and 30, respectively. Since claims 14 and 30 are allowable for at least the reasons stated above, claims 15 and 31 are allowable as well.

VI. CONCLUSION

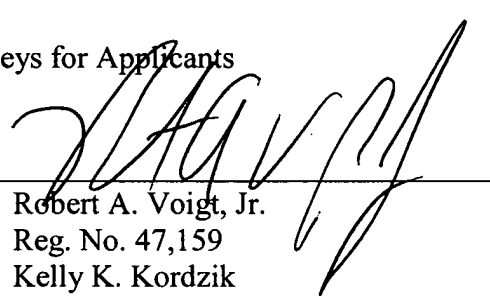
As a result of the foregoing, it is asserted by Applicants that claims 1-45 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

By: _____


Robert A. Voigt, Jr.
Reg. No. 47,159
Kelly K. Kordzik
Reg. No. 36,571

P.O. Box 50784
Dallas, TX 75201
(512) 370-2832

Austin_1 267303v.1